

IT IS FURTHER ORDERED:

1. The parties Joint Motion to Remand (**Ct. Rec. 20**) is **GRANTED**.

2. Judgment shall be entered for the **PLAINTIFF**.

3. An application for attorney fees may be filed by separate motion.

4. The District Court Executive is directed to enter this Order, forward copies to counsel, and thereafter shall **close** this file.

DATED this 16th day of December 2005.

S/ Michael W. Leavitt
MICHAEL W. LEAVITT
UNITED STATES MAGISTRATE JUDGE